



## COMMUNITY DEVELOPMENT DEPARTMENT

230 Pioneer Street | PO Box 608 | Ridgefield, WA 98642  
(360) 887-3557 | Fax: (360) 887-0861 | [www.ci.ridgefield.wa.us](http://www.ci.ridgefield.wa.us)

### STAFF REPORT AND NOTICE OF DECISION

#### Tri-Mountain Station South

File No. PLZ-21-0072-0075, 0095

<b>Date</b>	Application submitted: August 26, 2021 Decision issued: January 4, 2022
<b>Proposal</b>	Overall Tri-Mountain Station project: Develop ten commercial buildings with associated site improvements. Tri-Mountain Station South: Following a binding site plan process to create three new lots, develop four commercial buildings with associated site improvements. <ul style="list-style-type: none"><li>• Building 1: 9,045 sf retail</li><li>• Building 2: 4,500 sf retail</li><li>• Building 3: 48,000 sf hotel</li><li>• Building 4: 8,850 sf restaurant and retail</li></ul> The project also includes an administrative adjustment request to reduce the freeway landscape buffer by 20 percent.
<b>Location</b>	A total of six parcels in Ridgefield, WA 98642: <ol style="list-style-type: none"><li>1. 109 S 65<sup>th</sup> Ave, #38 S21 T4N R1E WM, #213979000, 5.78 ac</li><li>2. No address, #30 S21 T4N R1E WM, #214068000, 0.43 ac</li><li>3. 201 S 65<sup>th</sup> Ave, #50 S21 T4N R1E WM, #213999000, 0.96 ac</li><li>4. 299 S 65<sup>th</sup> Ave, #45 &amp; #71 S21 T4N R1E WM, #213994000, 0.87 ac</li><li>5. 457 S 65<sup>th</sup> Ave, #44 S21 T4N R1E WM, #214069000, 3.75 ac</li><li>6. No address, #68 S21 T4N R1E WM, #214017000, 3.9 ac</li></ol>
<b>Applicant</b>	Amy Zoltie, Tri Mountain Station, LLC 275 W 3 <sup>rd</sup> St #300 / Vancouver, WA 98660 Contact: 360.818.7032, <a href="mailto:projects@hurleydev.com">projects@hurleydev.com</a>
<b>Applicant's Representative</b>	Travis Johnson, PLS Engineering 604 W Evergreen Blvd / Vancouver, WA 98660 Contact: 360.944.6519, <a href="mailto:pm@plsengineering.com">pm@plsengineering.com</a>
<b>Owner</b>	Tri-Mountain Development LLC 200 NE Park Plaza Dr, Ste 196 / Vancouver, WA 98684
<b>Zoning</b>	Commercial Regional Business (CRB)
<b>Review Type</b>	Type II Basic Site Plan Review, Binding Site Plan Review, Critical Areas Review, SEPA, Administrative Adjustment
<b>Applicable Criteria</b>	RDC Title 18: 18.205 Uses, 18.230 Commercial Districts, 18.280 Critical Areas Protection, 18.310 Procedures, 18.350 Modifications to Standards, 18.500 Site Plan Review, 18.550 Binding Site Plan Review, 18.710 Signs, 18.715 Exterior Lighting, 18.720 Off-Street Parking and Loading, 18.725 Landscaping, 18.740 Fences and Walls, 18.810 SEPA, 18.830 City of Ridgefield Native Plant List, 18.840 Heritage Trees, City Engineering Standards for Public Works Construction, and Applicable Building and Life Safety codes.

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<b>Staff Contact</b>	Claire Lust, Community Development Director 510-B Pioneer St, PO Box 608 / Ridgefield, WA 98642 360.857.5024, claire.lust@ridgefieldwa.us
<b>SEPA Determination</b>	DNS
<b>Decision</b>	<b>Approved with conditions</b>

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## I. BACKGROUND INFORMATION

The following summarizes key application processing procedures for the proposal in accordance with RDC 18.310, Procedures:

<b>January 14, 2020</b>	Pre-application conference
<b>January 24, 2020</b>	Pre-application notes issued
<b>August 26, 2021</b>	Application submitted
<b>October 21, 2021</b>	Application found technically complete
<b>October 27, 2021</b>	SEPA DNS and public notice issued
<b>October 27, 2021</b>	Notice of land use application published
<b>November 10, 2021</b>	Combined SEPA and land use comment period ended
<b>November 17, 2021</b>	Draft staff report sent to applicant for review
<b>January 4, 2022</b>	Staff report issued

## II. EXISTING CONDITIONS AND PROPOSED DEVELOPMENT

The subject project area is identified as adjusted Assessor's parcel #214017000 (following a Boundary Line Adjustment proposed under PLZ-21-0068-0071, Tri-Mountain Station North). The site area is 5.85 acres. The site is located on the west side of S 65<sup>th</sup> Avenue, south of the intersection with Pioneer Street.

The site is zoned Commercial Regional Business (CRB), with a comprehensive plan designation of General Commercial (GC). Surrounding uses include:

- West: Interstate 5
- North: proposed Tri-Mountain Station North on CRB property
- Northeast: Ridgefield Crossing mixed commercial and medium density residential development on CRB property with the Ridgefield mixed use overlay (RMUO)
- East: Specht industrial development on Employment (E) property with the Employment Mixed Use Overlay (EMUO)

The site is currently undeveloped, with a mix of grass and tree cover. The site's topography is gently sloping, with lower elevations to the south. There is a mapped wetland on the southern portion of the site per Clark County GIS and an Ecological Land Services (ELS) critical areas report prepared for the applicant.

The applicant proposes a binding site plan to create a total of four lots for commercial development. Concurrently, the applicant proposes site plans for four commercial buildings and associated site and infrastructure improvements:

- Building 1: 9,045 sf general retail
- Building 2: 4,500 sf general retail
- Building 3: 48,000 sf hotel (three-story)
- Building 4: 8,850 sf restaurant/retail

The project also includes an administrative adjustment request to reduce the freeway landscape buffer by 20 percent.

Access to the site will be provided through a proposed driveway from S 65<sup>th</sup> Avenue that aligns with S 5<sup>th</sup> Street (NW 264<sup>th</sup> Street).

**Figure 1: Project Location**

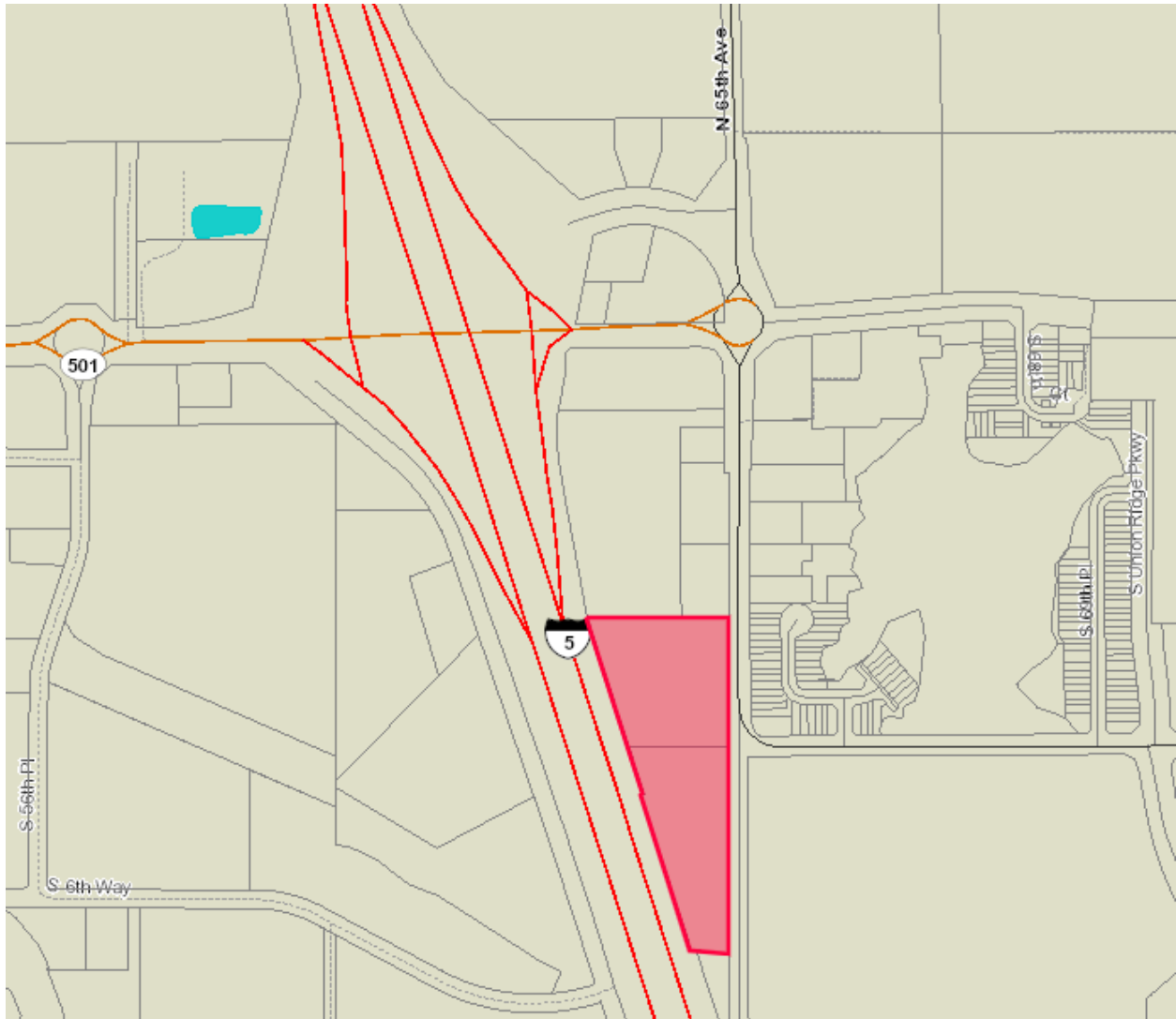
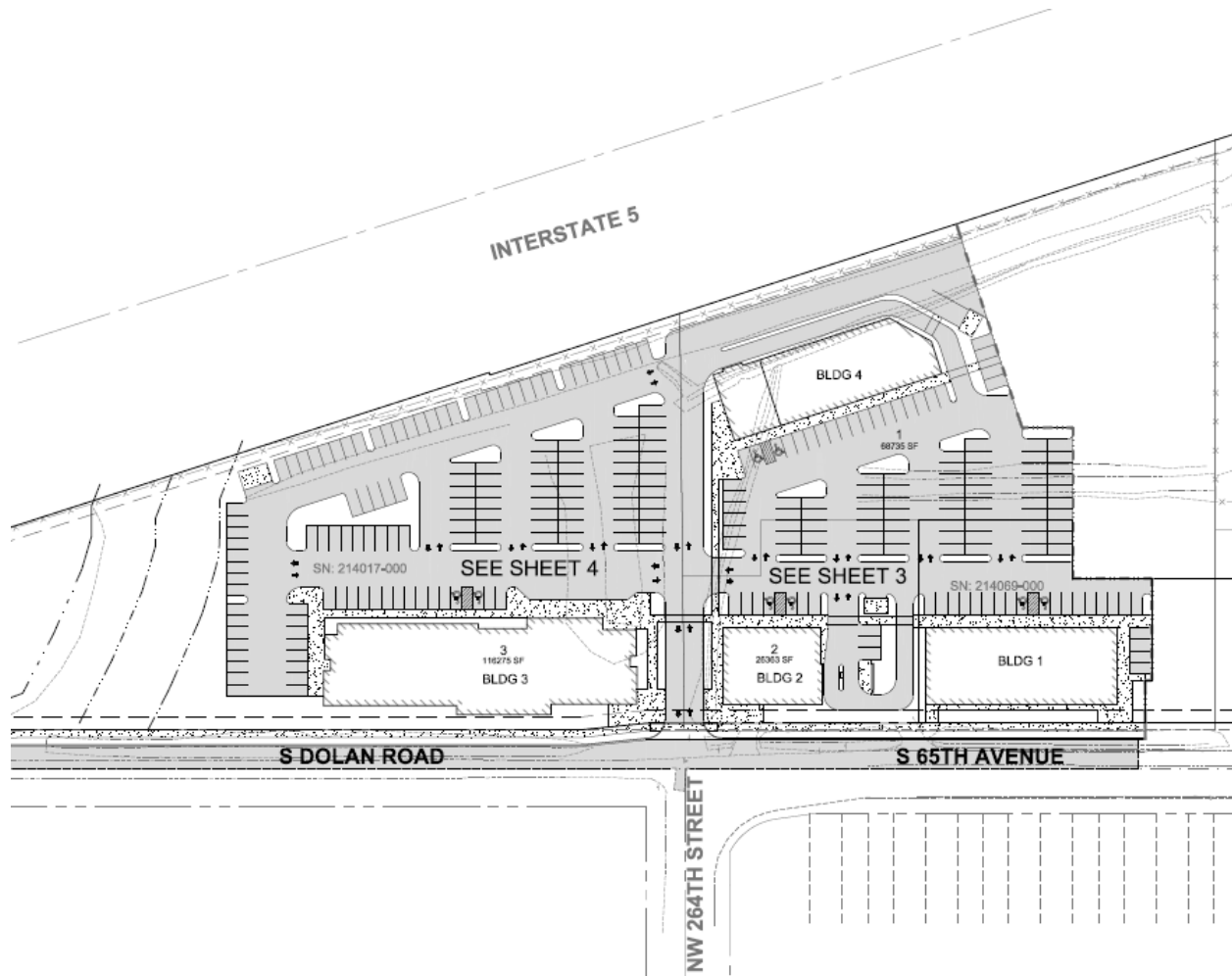


Figure 2: Site Plan



### III. COMMENTS

On October 27, 2021 the City published a combined notice of SEPA DNS and pending land use review in The Columbian, mailed a notice of pending land use review to property owners within 300 feet of the site, and posted the land use review notice on the site and online. The combined comment period closed on November 10, 2021. Staff did not receive any land use comments. Staff received two SEPA comments; see Section IV.H for analysis.

### IV. FINDINGS

#### A. Use (RDC 18.205)

The applicant proposes to develop retail, restaurant, and hotel uses in the Commercial Regional Business (CRB) zone.

#### Findings

Staff finds that general retail trade/service, eating/drinking establishments, and hotel/motel are permitted uses in the CRB zone. The standards in RDC 18.205 are met.

## B. Commercial Development Standards (RDC 18.230)

Lot requirements. The minimum lot area in the CRB zone is ten thousand square feet, and the minimum lot width is fifty feet. Following the proposed binding site plan land division, the minimum lot area will be 25,969 square feet and the minimum lot width will be 177 feet. The standards in RDC 18.230.040 are met.

Dimensional standards. The CRB requirements and proposed dimensional standards are as follows. S 65<sup>th</sup> Avenue is a pedestrian street:

<b>Standard</b>	<b>CRB required</b>	<b>Tri-Mountain Station North proposed</b>
Minimum front or street side yard setback along a pedestrian street	0 feet	20 feet
Maximum front or street side yard setback along a pedestrian street	20 feet	20 feet
Minimum side or rear yard setback abutting non-residential zones	5 feet	20 feet
Maximum height	65 feet	39 feet
Maximum impervious surface coverage	90 percent	70 percent

The standards in RDC 18.230.045 are met.

Site design. The applicant proposes to meet the site planning requirements in RDC 18.230.050 as follows:

- Topography. The existing site topography slopes to the south, and the proposal matches the existing slope of S 65<sup>th</sup> Avenue to optimize vehicular and pedestrian connections into the development.
- Street frontage. S 65<sup>th</sup> Avenue, a collector, and S Dolan Road, a residential access street, are classified as pedestrian streets in RDC 18.230.050. Buildings and common open space are provided within required street setbacks along 554 feet of the 692 feet of qualifying frontage, or 80 percent.
- Pedestrian connectivity. Each of the proposed buildings provides access from the main entrance to the street via pedestrian paths. There are four pedestrian connections to the street serving the three buildings adjacent to S 65<sup>th</sup> Avenue/S Dolan Road. There is one pedestrian pathways crossing the site that provides connectivity to the restaurant/retail buildings in the western portion of the site.
- Building entrances. The conceptual architectural elevations show a combination of covered entries and benches.
- Outdoor common areas. The development includes four outdoor common areas totaling 3,602 square feet, or 5.1 percent of the gross floor area. The proposed common areas range from 703 to 1,089 square feet and contain benches and trash receptacles as required in RDC 18.230.050.F.6. Two of the common areas also include tables.
- Service areas. The loading areas serving Buildings 3 and 4 are located and screened to minimize visibility from S 65<sup>th</sup> Avenue/S Dolan Road. Garbage and recycling collection areas are enclosed, with openings oriented away from the street.
- Drive-through lanes. Retail Building 2 and restaurant/retail Building 4 include drive-throughs. The two

proposed drive-throughs will not exceed the fifteen total drive-throughs permitted in the Ridgefield Junction subarea. They are clustered together, with the Building 2 drive-through adjacent to the street and the Building 4 drive-through on the rear of the site. As required in RDC 18.230.050.H.9, enhanced landscape buffering including six-foot incense cedars planted at ten feet on center and a three-foot wall is provided between the drive-through lanes and the public right-of-way.

**Building design.** The applicant proposes to meet the building design requirements in RDC 18.230.055 as follows:

- Context-sensitive building design. The proposed buildings are designed as a cohesive group. Buildings of similar height are grouped, and similar architectural design features and materials appear in each of the buildings. Walls, landscaping, and common area furnishings are consistent throughout the site.
- Mass and scale. Buildings adjacent to S 65<sup>th</sup> Avenue/S Dolan Road incorporate relief to the perceived building mass through material changes and projections at building corners. Storefront style windows and awnings provide definition, while trellises and planters provide variety.
- Hierarchy in building design. As permitted, multiple buildings on the site have features of primary structures, including prominent, well defined entrances with a two-story scale including upper windows. The proposed hotel is three stories.
- Windows and doors. The proposed elevations show windows that are aligned and ordered for a storefront appearance. Buildings adjacent to S 65<sup>th</sup> Avenue/S Dolan Road will incorporate 48 percent window and door transparency coupled with enhanced entry features as permitted in RDC 18.230.050.E.4.b.
- Roofs. The proposed roofs have visual caps and use permitted materials.
- Siding and trim. Proposed siding materials include lap siding, brick, split-face CMU, stone accents, wood accents, stucco, high-quality wood-look siding and high-quality metal siding with concealed fasteners.
- Color. The conceptual designs show earth-tone colors, with blue accents on the hotel.

## Findings

Staff finds that the applicable development standards in RDC 18.230 have been met subject to the following **conditions of approval**:

- Prior to engineering approval, the applicant shall demonstrate that internal and external pedestrian connections are a minimum of five feet wide. (RDC 18.230.050.D.4.c)
- Prior to engineering approval, the applicant shall demonstrate that internal and external pedestrian connections are accented with landscape buffers a minimum of five feet wide including trees a minimum of every 25 feet, shrubs at the rate of one per 20 square feet of landscaped area, and groundcover sufficient to provide at least 85 percent coverage of the landscaped area. The required landscaping shall be installed prior to final occupancy. (RDC 18.230.050.D.4.e)
- Prior to engineering approval, the applicant shall demonstrate that all pedestrian crossing of vehicle travel ways are well articulated with pavement markings, pedestrian warning signs, and lighting. The required pedestrian crossing safety measures shall be installed prior to final occupancy. (RDC 18.230.050.D.4.g)
- Prior to building approval, the applicant shall demonstrate compliance with the primary entrance enhancement features in RDC 18.230.050.E.1.
- Prior to building approval for buildings adjacent to S 65<sup>th</sup> Avenue, the applicant shall demonstrate compliance with the primary entrance location standards in RDC 18.230.050.E.2.
- Prior to final occupancy, the applicant shall install the outdoor common space amenities required in

RDC 18.230.050.F.

- Prior to final occupancy, all garbage and recycling collection areas shall be screened to a value of 80 percent year-round opacity using walls, fencing, and/or landscaping. (RDC 18.230.050.G.2)
- Prior to engineering approval, the applicant shall demonstrate that the drive-through queuing lanes have a minimum capacity of six spaces, and that the drive-through queuing lanes accommodate the width and turning radius of a vehicle measuring eight by twenty feet. (RDC 18.230.050.H.5)
- Prior to final occupancy, all drive-through screening required in RDC 18.230.050.H.9 shall be installed. The proposed three-foot wall shall have an earth-tone stone appearance similar to that identified for site walls on the materials sheet submitted with the conceptual architectural plans and elevations.
- Prior to building approval, the beams used to meet RDC 18.230.055.B.7 shall be wood or wood-appearance beams.
- Prior to building approval for each structure, the applicant shall submit final architectural elevations to the Community Development Director demonstrating compliance with each of the building design requirements in RDC 18.230.055 and using the materials sheet submitted with the conceptual architectural plans and elevations. The final elevations shall be substantially similar to those submitted for site plan review.

### C. Lighting (RDC 18.230.070, 18.715)

All exterior lighting must be shielded and aimed downward to prevent light trespass, consistent with RDC 18.715. Per RDC 18.230.070, all building entrances shall be illuminated and parking area light posts shall not exceed 25 feet. The applicant submitted a photometric plan showing minimal light trespass onto streets and driveways, but not onto lots under different ownership. The proposed parking area lights are 25 feet.

#### Findings

Staff finds that the lighting standards are met subject to the following **conditions of approval**:

- Prior to building approval, the applicant shall demonstrate that all building entrances are illuminated with shielded LED fixtures. (RDC 18.230.070.C)
- Prior to final occupancy, all lighting shall be installed on the site and shall be shielded and aimed downward to prevent light trespass.

### D. Off-Street Parking and Loading (RDC 18.230.080, 18.720)

Off-street parking and loading is regulated under RDC 18.230.080 and RDC 18.720. The applicant intends to meet the parking and loading requirements as follows.

Number of spaces required. Required parking ratios are as follows:

Building	Use	Square footage/rooms	Minimum spaces	Maximum spaces	Required
1	General retail trade/services	9,045	1/350 sf gross floor area	1/200 sf gross floor area	26-45
2	General retail trade/services	4,500	1/350 sf gross floor area	1/200 sf gross floor area	13-22



4	General retail trade/services	6,850	1/350 sf gross floor area	1/200 sf gross floor area	20-34
<b>Subtotal</b>		<b>20,395</b>			<b>59-101</b>
3	Temporary lodging	85	1/unit	No maximum	85
<b>Subtotal</b>		<b>85</b>			<b>85</b>
4	Eating and drinking establishment	2,000	1/200 sf gross floor area	No maximum	10
<b>Subtotal</b>		<b>2,000</b>			<b>10</b>
<b>Total</b>		<b>22,395 sf + 85 rooms</b>			<b>154</b>

The minimum total number of parking spots required is 154. The proposed 258 parking spaces exceed the minimum. Since the site is being considered as a whole and eating/drinking establishments do not have a parking maximum, the site does not have a parking maximum.

For parking lots with 201-300 total spaces, seven ADA accessible parking spaces are required including two which are van-accessible. The applicant proposes eight ADA accessible parking spaces, all of which are van-accessible.

Six electrical vehicle charging stations are proposed, and fifteen bicycle parking spaces are proposed.

Loading. Building 3 requires one loading space and provides one. Building 4 requires one loading spaces and provides one. The loading spaces are at least 35 feet long by twelve feet wide.

Commercial parking lot design. Parking areas are located internal to the development and do not extend into the maximum street setback. The design is intended to optimize vehicle and pedestrian circulation and safety. Parking area landscaping equal to 10.1 percent of the net parking area is proposed, and parking islands are provided to separate clusters of twenty parking spaces.

**Findings**

Staff finds that the off-street parking and loading standards are met subject to the following **conditions of approval**:

- Prior to final occupancy, all electric vehicle charging stations shall be installed as specified in RDC 18.230.080.D.
- Prior to final occupancy, all bicycle parking spaces shall be installed as specified in RDC 18.720.040.C.6.
- Prior to engineering approval, the applicant shall demonstrate that the parking area landscape material requirements in RDC 18.720.040.C.2.d are met.
- Prior to final occupancy, all parking area landscaping required under RDC 18.720.040.C.2 shall be installed.
- Prior to engineering approval, the applicant shall demonstrate that all pedestrian crossing of vehicle

travel ways are well articulated with pavement markings, pedestrian warning signs, and lighting. The required pedestrian crossing safety measures shall be installed prior to final occupancy. (RDC 18.720.040.C.5)

## E. Landscaping (RDC 18.230.090, 18.725, 18.830, 18.840)

Landscaping in the CRB zone is regulated under RDC 18.725, 18.230.090, 18.830, and 18.840. The applicant intends to meet or modify the landscaping requirements as follows.

Commercial landscaping requirements. There are no trees measuring six inches dbh or greater on the site.

Minimum landscaping required. A total of 14.9 percent of the developed site is to be landscaped, and 31.3 percent of the gross site area is to be landscaped.

Screening and buffering. A 10-foot, L2 landscape buffer is proposed between the site and S 65<sup>th</sup> Avenue, except where enhanced drive-through buffering is required per RDC 18.230.050.H.9. A 15-foot, L5 buffer is required between the site and Interstate 5. The applicant has requested an administrative adjustment to reduce the width to twelve feet; see Section IV.J.

Native plants. The applicant's preliminary landscape plans identify a mix of native plants and other plants that are not on the prohibited and nuisance plant lists.

Heritage trees. There are no identified heritage trees on the site.

### Findings

Staff finds that the landscaping requirements are met subject to the following **conditions of approval**:

- Prior to final occupancy, the applicant shall install all required site landscaping per RDC 18.725.080.
- The applicant shall maintain all landscaping per RDC 18.725.090.

## F. Fences (RDC 18.230.100, 18.740)

Fences and walls in the CRB zone are subject to the standards in RDC 18.740 and 18.230.100. No new exterior fences are proposed. A three-foot wall is proposed between the Building 2 drive-through lane and the street.

### Findings

Staff finds that the fencing requirements are met.

## G. Critical Areas Protection (RDC 18.280)

Ecological Land Services (ELS) prepared a critical areas report for the site dated September 3, 2019, and a preliminary mitigation memo dated July 30, 2021. Per the ELS report, the following critical areas are present on site:

- Wetland A is a Category III forested, scrub-shrub, emergent/slope wetland. It cover approximately 0.59 acres on the southern portion of the site. The required buffer width is 100 feet.
- Stream 1 is a Type F (fish-bearing) stream. It is located approximately ten feet south of the property boundary. The required buffer width is 125 feet.

The applicant shall first seek to avoid critical area impacts, then where avoidance is not feasible minimize impacts and mitigate for unavoidable impacts such that there is no net loss in critical area functions and values.

The proposed development includes a stormwater facility in the outer 50 percent (50 feet) of Wetland A, as allowed per RDC 18.280.150.C.2.vi.d. The installation of a level spreader will result in 3,048 square feet of

temporary wetland buffer impacts. Required road frontage improvements will result in an estimated 4,914 square feet of indirect wetland and stream buffer impacts and 1,264 square feet of direct wetland impacts.

The ELS preliminary mitigation memo identifies the following mitigation methods to achieve no net loss in critical area functions and values:

- Onsite native seeding in the area temporarily impacted by the level spreader, after construction.
- Purchase of credits from the East Fork Lewis mitigation bank (EFLMB) at a 1:1 ratio.

The applicant has applied for a road design modification that, if approved by the City Engineer, would decrease the total direct and indirect critical area impacts.

### Findings

Staff finds that the applicable critical areas standards in RDC 18.280 have been met, subject to the following **condition of approval**:

- Prior to ground disturbance, the applicant shall submit a final mitigation plan based on the outcome of the road design modification request for South Dolan Road.
- Prior to ground disturbance, the boundary of the outer edge of critical areas and buffers shall be delineated with permanent survey stakes using iron or concrete markers as established by local survey standards, and shall be identified with temporary signs. (RDC 18.280.040.F.1-2)
- Prior to final occupancy for the first building, the boundary of the outer edge of critical areas and buffers shall be identified with permanent signs. (RDC 18.280.040.F.2)
- Unless otherwise authorized through the project approval process, buildings and other structures shall be set back a minimum of five feet from the edges of all critical areas and buffers. (RDC 18.280.040.I)
- Mitigation measures approved through the final mitigation plan shall be complete prior to final occupancy for the first building, OR the applicant shall submit a bond in the amount of 110 percent of the estimated cost of mitigation per RDC 18.280.040.J. prior to final occupancy for the first building.

### H. SEPA (RDC 18.810)

The proposed development creates greater than 30,000 square feet of new impervious surface area, so SEPA review is required even if no critical areas are present. The applicant submitted a SEPA Checklist date July 28, 2021 applicable to the Tri-Mountain Station North and South project areas. Due to the high probability of archaeological remains on the site, an archaeological predetermination was required as part of the SEPA review. The applicant submitted an archaeological report dated November 13, 2020 prepared by Applied Archaeological Research, Inc. The archaeological report recommends no further archaeological work at this time. Applied Archaeological Research, Inc. also prepared an Inadvertent Discovery Plan (IDP) for the applicant.

### Findings

The City, as lead agency, reviewed the checklist and supporting materials and issued a Determination of Nonsignificance (DNS) on that basis. The notice of DNS was sent to the Department of Ecology SEPA register and published in the Columbian on October 27, 2021. The SEPA comment period closed on November 10, 2021. Two comment letters were received:

- Washington State Department of Ecology (ECY) submitted a comment letter dated November 10, 2021. ECY notes the potential for additional wetlands on the site based on the wetland delineation submitted for Tri-Mountain Station South having occurred during the dry season and on aerial images.

ECY also summarizes demolition, toxics cleanup, and erosion control requirements.

- Southwest Clean Air Agency (SWCCA) submitted a comment letter dated November 8, 2021 which summarizes asbestos, demolition, and dust control requirements.

Staff finds that the application has met the SEPA review requirements and the DNS is final subject to the following **conditions of approval**:

- Prior to ground disturbance of the potential additional wetland area, the applicant shall coordinate with Department of Ecology to confirm final wetland delineations and ratings. If necessary, the applicant shall submit a revised Critical Areas Report and Mitigation Plan with associated plan sheets for review and approval by Ecology, and provide evidence of approval by Ecology to the Community Development Director.
- The applicant shall comply with the demolition, toxics cleanup, and erosion control requirements in the ECY SEPA comment letter dated November 10, 2021.
- The applicant shall comply with the asbestos, demolition, and dust control requirements in the SWCCA SEPA comment letter dated November 8, 2021.

## I. Binding Site Plan (RDC 18.550)

The applicant proposes to divide the parent parcel (Adjusted Assessor's parcel #214017000) into four lots using the binding site plan process for land division.

### Findings

Following the proposed binding site plan, each of the four lots will comply with the CRB dimensional standards. See Section IV.B. The binding site plan proposal complies with the RUACP. The commercial development project associated with the binding site plan includes street and sidewalk improvements, stormwater facilities, open space, water supply, and sanitary waster disposal, and as such serves the public safety and welfare. Lots 1, 2, and 3 have direct legal access to S 65<sup>th</sup> Avenue/S Dolan Road, which are public streets. However, Lot 4 does not appear have legal access to a public street.

### As **conditions of approval**:

- The applicant shall submit a sheet showing the preliminary binding site plan (land division) only. The preliminary binding site plan shall demonstrate that Lot 4 has legal access to a public street by means of an access easement.
- The applicant shall submit for final binding site plan approval within five years of the date of approval of the preliminary binding site plan AND the final binding site plan shall be recorded prior to building permit submittal so that each building permit can be assigned to a legal lot with a unique address.
- A note on the final binding site plan shall state the presence of critical areas and buffers on the property, the application of RDC 18.280 – Critical Areas Protection to the property, the fact that limitations on actions in or affecting the critical areas or buffers may exist, and that this note shall run with the land. (RDC 18.280.040.G)
- The final binding site plan shall place the critical areas and buffers in a separate tract or conservation easement. (RDC 18.280.040.H)

## J. Administrative Adjustment (RDC 18.350)

The applicant proposes to reduce the width of the required landscape buffer between the site and Interstate 5 from fifteen feet to twelve feet, or twenty percent, while maintaining the required plantings. The justification provided is that the portion of the site adjacent to Interstate 5 must accommodate a road that is adequately

wide for delivery truck and emergency access. A purpose of the freeway landscape buffer is to provide a uniform landscaping style along the entrance to the City that obscures the view of the freeway for site users and obscures service roads, storage areas, and other back-of-site business from drivers approaching the City. Therefore, enhanced planting will be required to compensate for a narrower buffer width

### Findings

Staff finds that the administrative adjustment criteria in RDC 18.350.030 have been met subject to the following **condition of approval**:

- Prior to engineering approval, the applicant shall update the landscape plans to show an enhanced L5 buffer along the western site boundary, including understory trees at an interval closer than 8 feet, shrubs, or a similar measure approved by the Community Development Director.

## K. Site Plan Review (RDC 18.500)

Type II Basic Site Plans are governed by the standards in RDC 18.500, including the approval criteria in RDC 18.500.060.

The applicant proposes to develop four commercial buildings with associated site improvements on 5.85 acres. Two buildings are designed for drive-through restaurants, and three buildings are designed for general retail trade/service tenants. As demonstrated in this analysis, the proposal is consistent with the applicable development regulations of the underlying zone or can be made consistent through conditions of approval. The proposal is suitable for a multi-acre commercial site that is located on a collector accessing other commercial developments and the Interstate 5 junction. Based on critical areas analysis, the proposal does not have significant adverse environmental impacts, although a condition of approval requires further coordination with the Department of Ecology.

### Findings

Staff finds that the site plan review standards in 18.500 have been met.

## L. Street Design and Frontage Improvements

### Standards

Half width construction is required along the project frontage on S 65<sup>th</sup> Avenue to the City's Standard Collector Cross Section (Standard Detail T-2.5) with a 35-foot half width right of way (ROW) and 23-foot half width asphalt section. S Dolan Road is a Local 'A' residential road at the project location and half width improvements are required to the City's Local 'A' standard with a 48-foot ROW and 14-foot half width asphalt. All roads require standard improvements which include sidewalks, street trees, illumination, and utility undergrounding.

Driveways approved by the City Engineer providing for access onto collectors shall be a minimum of 100 feet from any intersection, and a minimum of 150 feet for access onto arterials. All distances shall be measured from the centerline of the street or driveway. Driveways accessing arterials may be denied if alternate access is available. Driveways shall be aligned wherever possible with existing driveways on the opposite side of the street.

Traffic Impact Fees (TIF) within the City of Ridgefield are currently \$438.95 per average daily trip. Please note that the TIF rates are subject to change, and since payment of TIFs occurs at the time of final occupancy, the applicant will be required to pay the TIF in effect at the time of permit issuance.

### Proposal

The submitted preliminary plan set shows ROW and street improvements to the City's Collector standard for S 65<sup>th</sup> Avenue along the project frontage. The preliminary site plan also shows half width frontage improvements to Dolan Road to the City's Residential Access section, with a requested design modification to avoid wetland impacts.

One driveway is proposed that aligns with S 5<sup>th</sup> Street.

### Findings

Staff finds that the proposed preliminary site plan meets standards for road widths on S 65<sup>th</sup> Avenue. The design modification for Dolan Road does not apply since the road classification is Local 'A', not Residential Access.

As a **condition of approval**, half width improvements to S 65<sup>th</sup> Avenue shall comply with the City's Standard Collector cross section and construction standards as required by the City's Engineering Standards.

As a **condition of approval**, the applicant shall submit a design modification request in accordance with Section 1.16 of the *City of Ridgefield Engineering Standards for Public Works Construction* (Engineering Standards) prior to engineering approval for any necessary variation from the City's Local 'A' cross-section (Standard Detail T-2.9) and construction standards on S Dolan Road. The submitted design modification shall address the relevant criteria in Section 1.16.D of the Engineering Standards.

As a **condition of approval**, all half-width improvements must extend to the centerline of the improved road.

Photometric plans for the public ROW are not reviewed with land use. A detailed review will be completed during engineering review.

## M. Transportation Impact Analysis

### Standards

A full traffic impact analysis (TIA) is required for any development that generates 10 or more p.m. peak hour trips. The TIA must evaluate project impacts at both on and offsite intersections, and must complete or contribute to any improvements necessary.

The City of Ridgefield has adopted Level of Service (LOS) standards for transportation facilities. The City's 2015 Comprehensive Plan indicates the adopted standard is LOS D, with the exception of unsignalized intersections that do not meet signal warrants or where a signal is not desired where the planned LOS is E. For Pioneer Street - SR 501, LOS E is to be maintained.

The transportation policies (in section 8.4 of the Comprehensive Plan) identify an interconnected multimodal transportation system (TR-1), land use patterns that encourage walking and bicycling (TR-3), developing a transportation grid with reasonable block lengths and multiple circulation routes to each location to avoid overloading arterial streets (TR-8), promoting neighborhood connectivity (TR-10), and reduce vehicle miles travelled (TR-12). To be consistent with these policies, the proposed site plan should provide additional future street connections (stubs) to potentially developable land adjacent to the site and easements as necessary.

### Proposal

The applicant conducted a traffic impact analysis (TIA): *Tri-Mountain Station*, prepared by Lancaster Mobley, dated July 13, 2021.

The proposed shopping center development will be located at 109 S 65<sup>th</sup> Avenue and include two parcels to the south, within District 3 of the Ridgefield Junction Subarea Plan. The development will construct nine buildings including:

- 99,335 square feet (sq ft) of retail space
- 16,000 sq ft hotel (85 rooms)
- 10,370 sq ft restaurant space
- 4,500 sq ft food bank
- Totaling 130,205 sq ft

Site access will be provided by four full movement driveways. One access is an existing driveway near the northern edge of the site, a proposed driveway between the existing driveway and S 5th Street, a driveway located opposite of S 5th Street, and a driveway located near the southern edge of the site. S 65<sup>th</sup> Avenue and S 5<sup>th</sup> Street are both classified as Collectors in the Comprehensive Plan. Direct access onto collectors should be managed so that these facilities can continue to provide adequate mobility. The proposed access for the site ranges from approximately 350 to 500 feet and should provide adequate management along S 65<sup>th</sup> Avenue.

An impact analysis was submitted as part of the application that evaluated PM peak hour operations for existing (2020) and future (2024) conditions at the following intersections:

- N/S 45th Avenue at Pioneer Street
- S 56th Place at Pioneer Street
- Interstate 5 (I-5) Southbound Ramps at Pioneer Street
- I-5 Northbound Ramps at Pioneer Street
- N/S 65th Avenue at Pioneer Street
- North Access at S 65th Avenue (Existing)
- Center Access at S 65th Avenue (Proposed)
- S 65th Avenue at S 5th Street (Proposed Site Access)

There were 36 crashes reported in the study area. The two locations with the highest number of crashes are Pioneer Street/I-5 Southbound Ramps and Pioneer Street/I-5 Northbound Ramps. The study found that there was no pattern that indicates any geometric deficiencies at any of the study intersections. A crash rate threshold of 1.0 crashes per million entering vehicles (MEV) was used to evaluate if further analysis is needed. None of the study intersections exceed this threshold.

Peak hour traffic counts were reflected a wide range of dates from September 2018 to October 2020. Counts collected before 2020 were adjusted used a rate of 2 percent per year. Counts collected in 2020 were compared against prior counts to investigate if a pandemic related adjustment was appropriate. No adjustment was necessary. All study intersections were found to meet operating standards during the AM and PM peak hour under existing conditions.

Year 2024 traffic volumes were developed by increasing the existing (2020) traffic volumes by 2 percent per year (compound) for four years to account for background traffic growth. Traffic from 34 in-process developments was also added to the 2024 volumes. No figure is provided showing the in-process trips. A figure should be provided to verify that the correct in-process volumes were included. The S Union Ridge Parkway extension to Pioneer Street is assumed to be completed by 2024 and 95 percent of the existing volume along S 65<sup>th</sup> Avenue was shifted to the new connection for the background condition.

All study intersections were found to meet standards during the AM and PM peak hour under year 2024 without and with project conditions. However, some 2024 turning movement volumes are less than or equal to the 2022 volumes in other TIA.

ITE 10th Edition trip generation rates for a “Hotel” (310), “Campground/Recreational Vehicle Park” (416), and “Shopping Center” (820) were used to estimate project trips. Tenants for the proposed development are currently unknown. Internal capture rates of 3 percent and 4 percent were applied in the AM and PM peak hour, respectively. A pass-by rate of 34 percent was applied to the trips generated by the shopping center but not the hotel. The proposed development would generate approximately 3,357 new daily trips, 106 new AM peak hour trips and 319 new PM peak hour trips.

Trip distribution assumptions were based on a review of the travel demand model for traffic analysis zone (TAZ) 2101. This distribution favors trips to/from the south/southeast and only supplies 20 percent of trips from west of I-5.

Vehicle queuing was not analyzed at the study intersections. Queuing should be analyzed, especially at the I-5 ramp terminals.

Preliminary signal warrants were not met for any of the site driveways in 2024 build conditions.

Sight distance requirements were estimated based on roadway design speeds. All site driveways would meet stopping sight distance requirements. At the northern access driveway sight distance was evaluated using a speed of 20 mph rather than the posted speed due to the speed reduction for vehicles in the roundabout.

## Findings

Staff finds that project meets requirements subject to the following **conditions of approval**:

- The development shall contribute Transportation Impact Fees toward citywide impacts.
- Minimum sight distance requirements shall be met at all site driveways. Sight distances should be re-verified in the final engineering/construction stages of development.
- A figure showing in-process trips should be provided.

## N. Water Service

### Standards

The proposed project is located in the City of Ridgefield water service area. An existing 12-inch diameter waterline is located in S 65<sup>th</sup> Avenue and S Dolan Road adjacent to the site. On-site public water lines must be a minimum of 8-inches in diameter, looped through the site and located within the proposed right-of-way.

The applicant should be aware that Clark County Fire & Rescue may provide additional comments with regards to fire service protection.

The City of Ridgefield is supplied with water from five water supply wells. According to the 2013 Water System Plan Update, the City has water rights to serve approximately 4,273 equivalent residential units (ERUs), and well capacity to serve approximately 2,806 ERUs. The addition of the Junction Well Project, constructed in 2017, provided the City with the well capacity to serve an additional 1,145 ERUs, for a total of 3,951 ERUs. An agreement with Clark Public Utilities, finalized in 2021, provides the City with an additional 1,000 gallons per minute, or 7,164 ERUS, for a total capacity of 11,115 ERUs. Per the 2013 Water System Plan, the City served approximately 2151 ERUs at the end of 2010. Permits were issued for 65 ERUs in 2011, 122 ERUs in 2012, 180.5 ERUs in 2013, 114 in 2014, 228



in 2015, 320 in 2016, 158 in 2017, 342 in 2018, 380 in 2019, 647.5 in 2020 and 510.5 so far in 2021, for a total of 5208.5 ERUs.

Water System Development Charges will be applied at the time of building permit issuance. The water System Development Charge (SDC) is currently \$4,387.61 per Meter Equivalent Size as defined in the Ridgefield Municipal Code.

### Proposal

The applicant submitted a preliminary utility plan. A detailed review will occur at the time of engineering submittal.

### Findings

As a **condition of approval**, any water lines not located within the ROW to be dedicated to the City shall be located in a minimum 15-foot wide easement dedicated to the City of Ridgefield.

As a **condition of approval**, all fire flow testing must be completed by the applicant with City of Ridgefield and Clark County Fire & Rescue personnel present.

## O. Sanitary Sewer Service

The proposed project is located within the Clark Regional Wastewater District's service area. The point of connection for the subject parcel is the existing sanitary sewer onsite located near the north, west, and south property line. The plans will be required to use a survey datum provided in NGVD 29(47).

As an element of the District's plan review, a copy of the floor, plumbing and mechanical plans must be submitted to the District with the application. The District will review the BMPs and pre-treatment requirements with the engineering application.

The District's sewer System Development Charge (SDC) is currently \$8,750 per Equivalent Residential Unit (ERU). SDCs are subject to change and the applicable value will be applied at the time of sewer connection permit issuance. Please note that there is no guarantee or set aside of service capacity with land use approval, as it is the District's policy that service commitment occurs when it is paid for at the time sewer permits are issued.

Contact: Jason Oster, Senior Engineering Technician (Development), [joster@crwwd.com](mailto:joster@crwwd.com), 360.993.8848.

## P. Storm Drainage

### Standards

Management of permanent storm water shall be in accordance with the engineering standards in effect at the time of engineering submittal. The offsite downstream impacts of altered runoff characteristics and time of concentration will need to be evaluated to the furthest point of convergence of all outfall flows altered by the development proposal. Low Impact Development (LID) facilities shall meet the requirements of the 2005 Stormwater Management Manual for Western Washington, or other design standards approved by the Department of Ecology.

The City of Ridgefield has created a stormwater utility. Fees have been adopted and are currently \$9.27 per month charge per ERU. No SDCs have been adopted for the stormwater utility.

### Findings

Staff finds that the submitted preliminary stormwater report, dated August 2021, is sufficient for land use approval. At the time of engineering submittal, a more detailed review will be conducted, and the applicant will be required to show compliance with all applicable stormwater requirements in effect at the time of engineering submittal.

## Q. Grading & Erosion Control

### Standards

A City grading permit will be required prior to any ground disturbing activities. The City requires control and treatment of construction site stormwater runoff. Construction within critical areas and buffers (including slopes greater than 15 percent) is strongly discouraged between October 30<sup>th</sup> and May 1<sup>st</sup> and at times is not allowed.

### Findings

The applicant has not submitted a preliminary grading and erosion control plan. As a **condition of approval**, a City grading permit is required prior to any ground disturbing activities onsite.

## Engineering Process

### Final Acceptance

Please note that final engineering acceptance is required on all projects to gain final occupancies of any building. See below for detailed requirements for obtaining building permits and other approvals:

### Commercial or Industrial Acceptance

To obtain acceptance of public infrastructure for a non-residential site the following is required:

- Inspection approval of all public water lines, meter boxes, and hydrants
- Inspection approval of all public roadways, sidewalks, curb ramps, and other associated improvements.
- Inspection approval of any storm ponds or swales, or public storm mains
- A two-year maintenance bond for 20% of the cost of all public improvements
- As-built drawings in mylar, pdf, and AutoCad versions.

**Please note that no final occupancies will be issued prior to final acceptance of associated public improvements.**

## R. Fire District

Fire safety permitting through Clark Cowlitz Fire Rescue (CCFR) is required. CCFR did not provide comments for this report. To coordinate with CCFR, contact Josh Taylor: [josh.taylor@clarkfr.org](mailto:josh.taylor@clarkfr.org), 360.887.6227.

## S. Building

Building permits are required for all proposed structures. Contact: John Wilson, Building Official, [john.wilson@ridgefieldwa.us](mailto:john.wilson@ridgefieldwa.us), 360.857.5025.

## V. DECISION

The City of Ridgefield, after review and consideration of the application materials and applicable approval criteria, grants **APPROVAL** to the binding site plan, basic site plan, critical areas, SEPA, and administrative adjustment for Tri-Mountain Station South subject to the following **conditions of approval**:

## VI. CONDITIONS OF APPROVAL

### A. Planning Conditions

#### General:

1. Unless otherwise specified herein, at the time of construction and at all times thereafter, the development shall comply with all approval requirements established in applicable plans, policies, regulations and standards adopted at the time of this application, including but not limited to, the Ridgefield Urban Area Comprehensive Plan (RUACP), the Ridgefield Capital Facilities Plan (RCFP), the Ridgefield Development Code (RDC), the Ridgefield Engineering Standards for Public Works (Engineering Standards), current water and sanitary sewer plans, and the Stormwater Management Manual for the Puget Sound Basin (Puget Sound Manual).
2. Pursuant to RCW 27.53.060 it is unlawful to remove or alter any archaeological resource or site without having obtained a written permit from the Washington State Office of Archaeology and Historic Preservation. Upon any discovery of potential or known archaeological resources at the subject site prior to or during on-site construction, the Developer, contractor, and/or any other parties involved in construction shall immediately cease all on-site construction, shall act to protect the potential or known historical and cultural resources area from outside intrusion, and shall notify, within a maximum period of twenty-four hours from the time of discovery, DAHP (Dr. Lance Wollage, Assistant State Archaeologist, 360.586.3536 and 360.890.2616), affected Tribes, the Clark County Community Development Department (Mitch Nickolds, Director, 360.397.2375 x4101), Hurley Development, and the City of Ridgefield Community Development Department of said discovery.
3. If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance. The finding of human skeletal remains will be reported to the Clark County Medical Examiner and local law enforcement in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The Clark County Medical Examiner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the county medical examiner/coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation (DAHP) who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the affected tribes. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains.  
  
The Clark County Medical Examiner is Dennis J. Wickham, M.D. He is reached at 360-397-8405.  
  
The Clark County Sheriff is Chuck E. Atkins. His office is reached at 360-397-2211.
4. The applicant shall maintain all landscaping per RDC 18.725.090.
5. Unless otherwise authorized through the project approval process, buildings and other structures shall be set back a minimum of five feet from the edges of all critical areas and buffers. (RDC 18.280.040.I)

6. The applicant shall comply with the demolition, toxics cleanup, and erosion control requirements in the ECY SEPA comment letter dated November 10, 2021.
7. The applicant shall comply with the asbestos, demolition, and dust control requirements in the SWCCA SEPA comment letter dated November 8, 2021.

**Binding site plan:**

8. The applicant shall submit a sheet showing the preliminary binding site plan (land division) only. The preliminary binding site plan shall demonstrate that Lot 4 has legal access to a public street by means of an access easement.
9. The applicant shall submit for final binding site plan approval within five years of the date of approval of the preliminary binding site plan AND the final binding site plan shall be recorded prior to building permit submittal so that each building permit can be assigned to a legal lot with a unique address.
10. A note on the final binding site plan shall state the presence of critical areas and buffers on the property, the application of RDC 18.280 – Critical Areas Protection to the property, the fact that limitations on actions in or affecting the critical areas or buffers may exist, and that this note shall run with the land. (RDC 18.280.040.G)
11. The final binding site plan shall place the critical areas and buffers in a separate tract or conservation easement. (RDC 18.280.040.H)

**Prior to engineering approval:**

12. Prior to engineering approval, the applicant shall demonstrate that internal and external pedestrian connections are a minimum of five feet wide. (RDC 18.230.050.D.4.c)
13. Prior to engineering approval, the applicant shall demonstrate that internal and external pedestrian connections are accented with landscape buffers a minimum of five feet wide including trees a minimum of every 25 feet, shrubs at the rate of one per 20 square feet of landscaped area, and groundcover sufficient to provide at least 85 percent coverage of the landscaped area. (RDC 18.230.050.D.4.e)
14. Prior to engineering approval, the applicant shall demonstrate that all pedestrian crossing of vehicle travel ways are well articulated with pavement markings, pedestrian warning signs, and lighting. (RDC 18.230.050.D.4.g, RDC 18.720.040.C.5)
15. Prior to engineering approval, the applicant shall demonstrate that the drive-through queuing lanes have a minimum capacity of six spaces, and that the drive-through queuing lanes accommodate the width and turning radius of a vehicle measuring eight by twenty feet. (RDC 18.230.050.H.5)
16. Prior to engineering approval, the applicant shall demonstrate that the parking area landscape material requirements in RDC 18.720.040.C.2.d are met.
17. Prior to engineering approval, the applicant shall update the landscape plans to show an enhanced L5 buffer along the western site boundary, including understory trees at an interval closer than 8 feet, shrubs, or a similar measure approved by the Community Development Director.

**Prior to ground disturbing activity:**

18. Prior to ground disturbance, the applicant shall submit a final mitigation plan based on the outcome of the road design modification request for South Dolan Road.
19. Prior to ground disturbance, the boundary of the outer edge of critical areas and buffers shall be delineated with permanent survey stakes using iron or concrete markers as established by local survey standards, and shall be identified with temporary signs. (RDC 18.280.040.F.1-2)
20. Prior to ground disturbance of the potential additional wetland area, the applicant shall coordinate with Department of Ecology to confirm final wetland delineations and ratings. If necessary, the applicant shall submit a revised Critical Areas Report and Mitigation Plan with associated plan sheets for review and approval by Ecology, and provide evidence of approval by Ecology to the Community Development Director.

**Prior to building permit approval:**

21. Prior to building approval, the applicant shall demonstrate compliance with the primary entrance enhancement features in RDC 18.230.050.E.1.
22. Prior to building approval for buildings adjacent to S 65th Avenue, the applicant shall demonstrate compliance with the primary entrance location standards in RDC 18.230.050.E.2.
23. Prior to building approval, the beams used to meet RDC 18.230.055.B.7 shall be wood or wood-appearance beams.
24. Prior to building approval for each structure, the applicant shall submit final architectural elevations to the Community Development Director demonstrating compliance with each of the building design requirements in RDC 18.230.055 and using the materials sheet submitted with the conceptual architectural plans and elevations. The final elevations shall be substantially similar to those submitted for site plan review.
25. Prior to building approval, the applicant shall demonstrate that all building entrances are illuminated with shielded LED fixtures. (RDC 18.230.070.C)

**Prior to final occupancy:**

26. Prior to final occupancy, the applicant shall install the outdoor common space amenities required in RDC 18.230.050.F.
27. Prior to final occupancy, the pedestrian walkway landscaping required in RDC 18.230.050.D.4.e shall be installed. (RDC 18.230.050.D.4.e)
28. Prior to final occupancy, all garbage and recycling collection areas shall be screened to a value of 80 percent year-round opacity using walls, fencing, and/or landscaping. (RDC 18.230.050.G.2)
29. Prior to final occupancy, all drive-through landscaping and screening required in RDC 18.230.050.H.9 shall be installed. The proposed three-foot wall shall have an earth-tone stone appearance similar to that identified for site walls on the materials sheet submitted with the conceptual architectural plans and elevations.
30. Prior to final occupancy, all lighting shall be installed on the site and shall be shielded and aimed downward to prevent light trespass.

31. Prior to final occupancy, all electric vehicle charging stations shall be installed as specified in RDC 18.230.080.D.
32. Prior to final occupancy, the required pedestrian crossing safety measures in RDC 18.230.050.D.4.g and RDC 18.720.040.C.5 shall be installed.
33. Prior to final occupancy, all bicycle parking spaces shall be installed as specified in RDC 18.720.040.C.6.
34. Prior to final occupancy, all parking area landscaping required under RDC 18.720.040.C.2 shall be installed.
35. Prior to final occupancy, the applicant shall install all required site landscaping per RDC 18.725.080.
36. Prior to final occupancy for the first building, the boundary of the outer edge of critical areas and buffers shall be identified with permanent signs. (RDC 18.280.040.F.2)
37. Mitigation measures approved through the final mitigation plan shall be complete prior to final occupancy for the first building, OR the applicant shall submit a bond in the amount of 110 percent of the estimated cost of mitigation per RDC 18.280.040.J. prior to final occupancy for the first building.

## B. Engineering Conditions

1. Half width improvements to S 65<sup>th</sup> Avenue shall comply with the City's Standard Collector cross section and construction standards as required by the City's Engineering Standards.
2. The applicant shall submit a design modification request in accordance with Section 1.16 of the *City of Ridgefield Engineering Standards for Public Works Construction* (Engineering Standards) prior to engineering approval for any necessary variation from the City's Local 'A' cross-section (Standard Detail T-2.9) and construction standards on S Dolan Road. The submitted design modification shall address the relevant criteria in Section 1.16.D of the Engineering Standards.
3. All half-width improvements must extend to the centerline of the improved road.
4. The development shall contribute Transportation Impact Fees toward citywide impacts.
5. Minimum sight distance requirements shall be met at all site driveways. Sight distances should be re-verified in the final engineering/construction stages of development.
6. A figure showing in-process trips should be provided.
7. Any water lines not located within the ROW to be dedicated to the City shall be located in a minimum 15-foot wide easement dedicated to the City of Ridgefield.
8. All fire flow testing must be completed by the applicant with City of Ridgefield and Clark County Fire & Rescue personnel present.
9. A City grading permit is required prior to any ground disturbing activities onsite.

### Reviewed by:

Claire Lust, Community Development Director

Brenda Howell, City Engineer

Signed:

A handwritten signature in cursive script that reads "Claire Lust".

Claire Lust, Community Development Director

January 4, 2022

## V. APPEAL PROCEDURES

Pursuant to RDC 18.310.100.A an appeal of a Type II decision shall be filed with the city clerk within fourteen days after the written notice of the decision is mailed.